

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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**TAILORED LIGHTING, INC.,**

*Plaintiff,*

vs.

**OSRAM SYLVANIA PRODUCTS, INC.,**

*Defendant.*

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**DECLARATION OF  
MICHAEL A. OROPALLO**

Civil Action No.  
6:04-CV-6435-MAT-MWP

**MICHAEL A. OROPALLO** hereby declares as follows:

1. I am an attorney duly licensed to practice law before the courts of the State of New York, and a member of the law firm of Hiscock & Barclay, LLP, attorneys for plaintiff Tailored Lighting, Inc. ("TLI"). I am fully familiar with the facts and circumstances of this action.

2. I make this Declaration in support of TLI's motion to file under seal certain exhibits to its response to Osram Sylvania Products, Inc.'s ("Sylvania") motion for Partial Summary Judgment ("Response to Sylvania's Motion").

3. Pursuant to the provisions of the Protective Order entered in the referenced matter (Docket No. 84), and in accordance with the Court's direction at the recent motion argument, TLI requests the Court's permission to file certain documents under seal in its Response to Sylvania's Motion. Said documents have been designated "confidential" or "highly confidential" in accordance with provisions of the Protective Order.

4. Attached herewith is a proposed Order setting forth our understanding of the Court's preference for filing under seal, and in accordance with the Local Rules.

Dated: September 4, 2009

HISCOCK & BARCLAY, LLP

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